

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHINE DINGLE and DWAYNE HICKS,

Plaintiffs,

-against-

THE CITY OF NEW YORK, THE NEW YORK CITY  
POLICE DEPARTMENT, NEW YORK CITY POLICE  
OFFICER LT. JOSEPH BARONE, and POLICE OFFICERS  
JOHN DOE # 1 through approximately # 10, the names being  
fictitious and presently unknown, in their individual and  
official capacities as employees of the City of New York  
Police Department,

Defendants.

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**STIPULATION AND  
ORDER OF  
SETTLEMENT OF  
ATTORNEY'S FEES,  
EXPENSES, AND COSTS**

14-CV-7316 (RJD) (PK)

**WHEREAS**, plaintiffs SHINE DINGLE and DWAYNE HICKS commenced this action by filing a complaint on or about December 16, 2014, alleging that defendants City of New York, The New York City Police Department, and Lieutenant Joseph Barone violated their federal civil and state common law rights; and

**WHEREAS**, all defendants deny any and all liability arising out of plaintiffs' allegations; and

**WHEREAS**, plaintiffs' counsel represents that plaintiffs have assigned all of their rights to attorneys' fees, expenses, and costs to their counsel, Gregory Zenon, Esq.; and

**WHEREAS**, counsel for defendants and counsel for plaintiffs now desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York hereby agrees to pay plaintiffs' counsel, Gregory Zenon, Esq., the total sum of One Hundred Twenty-Five Thousand (\$125,000.00) Dollars in full satisfaction of plaintiffs' claims for attorneys' fees, expenses, and costs. In consideration for the payment of One Hundred Twenty-Five Thousand (\$125,000.00) Dollars, counsel for plaintiffs agrees to release and discharge defendants City of New York, The New York City Police Department and Lieutenant Barone; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

2. Counsel for plaintiffs hereby agrees and represents that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiffs in any application for attorneys' fees, expenses, or costs at any time.

3. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.


4. This Stipulation and Order contains all the terms and conditions agreed upon by counsel for defendants and counsels for plaintiffs hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation

and Order regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.


GREGORY ZENON  
*Attorney for Plaintiffs*  
30 Wall Street, 8th Floor  
New York, NY 10005

ZACHARY W. CARTER  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants City of New York,  
The New York City Police Department,  
and Barone*  
100 Church Street, 3<sup>rd</sup> Floor  
New York, New York 10007

By:

  
Gregory Zenon  
*Attorney for Plaintiffs*

By:

  
W. KeAupuni Akina  
*Senior Counsel*

SO ORDERED:

Dated: New York, New York  
March 28, 2019

HON. RAYMOND J. DEARIE  
UNITED STATES DISTRICT JUDGE